

BOARD OF SUPERVISORS
COUNTY OF YORK
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in the Board Room, York Hall, Yorktown, Virginia, on the ____ day of ____, 2004:

Present

Vote

Thomas G. Shepperd, Jr., Chairman
James S. Burgett, Vice Chairman
Walter C. Zaremba
Sheila S. Noll
Kenneth L. Bowman

On motion of _____, which carried ____, the following resolution was adopted:

A RESOLUTION TO APPROVE APPLICATION NO. SE-15-04 TO AUTHORIZE THE REPLACEMENT OF TREES REMOVED WITHOUT AUTHORIZATION FROM A REQUIRED 35' GREENBELT BUFFER ALONG VICTORY BOULEVARD (ROUTE 171) ON A 0.93-ACRE PARCEL OF LAND LOCATED AT 600 HAMPTON HIGHWAY (ROUTE 134)

WHEREAS, Southern Maryland Oil, Inc. removed a required 35' greenbelt buffer without authorization along Victory Boulevard (Route 171) on a 0.93-acre parcel of land located at 600 Hampton Highway (Route 134), occupied by a Shell gas station located in the southwest quadrant of the intersection of Hampton Highway and Victory Boulevard and further identified as Assessor's Parcel 37-59A.;

WHEREAS, to rectify the situation, Southern Maryland Oil, Inc. has submitted Application No. SE-15-04, pursuant to Section 24.1-245(c) of the York County Zoning Ordinance, to replant the buffer in accordance with a landscape plan submitted by the applicant; and

WHEREAS, said application has been referred to the York County Board of Supervisors in accordance with applicable procedure; and

WHEREAS, the Board has conducted a duly advertised public hearing on this application and has given careful consideration to the public comments;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the __ day of _____, 2004, that Application No. SE-15-04 be, and it is

hereby, approved to authorize the replacement of trees removed without authorization from a required 35' greenbelt buffer along Victory Boulevard (Route 171) on a 0.93-acre parcel of land located at 600 Hampton Highway (Route 134) subject to the following conditions:

1. Replanting of the buffer shall be in accordance with a landscape plan submitted to and approved by the Department of Environmental and Development Services, Division of Development and Compliance. Except as modified herein, said landscape plan shall be in conformance with the landscape plan titled "Landscape Design: New Shell Gas Station," prepared by 1 of a Kind Landscapes and Home Remodeling, Inc. and dated October 6, 2004.
2. Tree and shrub plantings shall also be required along the 174.47 feet of property frontage along Route 134 (Hampton Highway) in general accordance with the referenced landscape plan, but with the following exception:
 - a. At least two (2) Live Oaks shall be installed on the subject property on each side of the driveway entrance as a substitute for the plantings depicted within the VDOT right-of-way.
3. The use of staggered double rows of tree plantings shall be required along Route 171 to achieve maximum screening benefits and provide a more natural appearance.
4. The six (6) Loblolly Pines depicted along the subject parcel's Route 171 (Victory Boulevard) frontage on the referenced plan shall be replaced with six (6) Leyland Cypressess.